

UNITED STATES DISTRICT COURT
for the
DISTRICT OF MINNESOTA

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CLERK, U.S. DISTRICT COURT
ST. PAUL, MINNESOTA

Aaron Rhy Broussard

Petitioner

v.

United States of America, et al.

Respondent

Case No.

22cv 725 NEB/HB

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. §2241
Personal Information

1. (a) Your full name: Aaron Rhy Broussard
(b) Other names you have used: N/A
2. **Place of confinement:**
(a) Name of institution: Sherburne County Jail
(b) Address: 13880 Business Center Drive
Elk River, Minnesota, 55330
(c) Your identification number: SPN #13200
3. **Are you currently being held on orders by:**
☒ Federal authorities ☐ State authorities ☐ Other



4. **Are you currently:**

☒ A pretrial detainee

Decision or Action You Are Challenging

5. **What are you challenging in this petition:**

☒ Pretrial detention

6. **Provide more information about the decision or action you are challenging:**

(a) Name and location of the agency or court: United States Attorney's Office, United States Courthouse, 300 South Fourth Street, Suite 600.

(b) Case number: 0-CR-19-101

(c) Decision or action you are challenging: The indictment and subsequent government custody.

(d) Date of the decision or action: April 10, 2019

Your Earlier Challenges of the Decision or Action

7. **First Appeal**

Did you appeal the decision?

☐ Yes ☒ No

8. **Motion under 28 U.S.C. §2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes ☒ No

9. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☐ Yes ☒ No

10. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☒ Yes ☐ No

If "Yes," provide:

(a) Kind of petition, motion, or application: Motion to Dismiss Indictment.

(b) Name of the authority, agency, or court: U.S. District Court for the District of Minnesota.

(c) Date of filing: On or about March 11, 2022.

(d) Docket number, case number, or opinion number: Unknown

(e) Result: The Court issued an oral order denying the petitioner's request.

(f) Date of result: March 14, 2022.

(g) Issues raised: Grand Jury Errors. Prosecutorial misconduct occurring during the grand jury proceedings.

Grounds for Your Challenge in This Petition

11. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. State the facts supporting each ground.

GROUND ONE: Prosecutorial Misconduct/Grand Jury Errors

(a) Supporting facts: Referencing to the grand jury minutes, the government asserts that the alleged

items are matter-of-fact controlled substance analogues and controlled substances. In addition to such error, the government at no point provides the grand jury with necessary information that would support such suspicion and would sufficiently aid them into drawing an independent conclusion. These errors were undoubtedly influential to the grand jury's decision to return all counts of the indictment and consequently, probable cause for such indictment and the petitioner's imprisonment is nonexistent.

(b) Did your present Ground One in all appeals that were available to you?

☐ Yes ☒ No

12. If there are any grounds that you did not present in all appeals that were available to your, explain why you did not:

N/A

Request for Relief

13. State exactly what you want the court to do:

1. Unconditional release from unconstitutional confinement and restraint by the United States;
2. Declaratory relief by the Court declaring that a grand jury's determination of the Analogue Act's elements (21 U.S.C. §§802(32)(A) and 813) are mandated by the Federal Constitution and Federal Rules of Criminal Procedure;
3. Expunging of the relevant alleged conduct from the petitioner's criminal/arrest record;
4. Issue preliminary and permanent injunctions enjoining the respondent, their agents, employees and those acting in concert or cooperation with them, from enforcing or pursuing

any further federal, state or local prosecution associated with the government's former [Middle District of Pennsylvania, Case No. 3-16-CR-352] and instant allegations of criminal misconduct because it'd be in retaliation to the sought instant civil action.

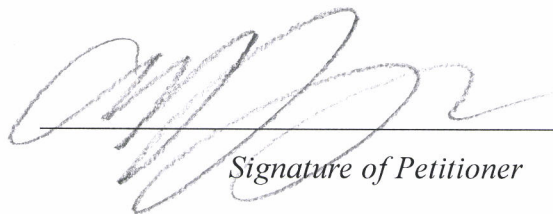
Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

N/A

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: March 20, 2022



Signature of Petitioner